

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

Tom P.

APR 07 2003

OFFICE OF
MANAGING DIRECTOR

Dan J. Alpert, Esq.
2120 N. 21st Road
Suite 400
Arlington, Virginia 22201

Re: Station KENT(AM), Honolulu, HI
AM Radio 1170, Inc.
Facility Id. No. 13985
Fee Control No. 00000RROG-03-067

Dear Mr. Alpert:

This is in response to your request dated November 14, 2002, filed on behalf of Station KENT(AM), Honolulu, Hawaii,¹ for a reduction in the \$2,525.00 fiscal year (FY) 2002 regulatory fee and a reduction in the \$631.25 late charge penalty for late payment of the FY 2002 regulatory fee.² Our records reflect that Station KENT paid the FY 2002 regulatory fee, but has not paid the late charge penalty. The Commission staff issued a Bill for Collection dated October 17, 2002 requesting payment of the late charge penalty.

In your request, you argue that the regulatory fee established for Station KENT, a Class B AM station, should be reduced because the fee "was assessed based upon KENT's previously licensed facilities which allowed operation at 5000 watts . . . [and] which provided service to an estimated 482,020 persons."³ You state that Station KENT has not operated from the site authorized in the *February 1, 1981 License* since 1993, when the station "lost access to th[e] site . . . and the site was dismantled." You state that "[a]s of the beginning of FY 2002 (October 1, 2001), pursuant to a Special Temporary Authorization issued by the . . . Mass Media Bureau, KENT was permitted to operate" from a different site and at a lower wattage from that authorized in the *February 1, 1981*

¹ This station has operated under a number of different calls signs, including KENT, KZEZ, KOHO, KBUG, and KBNZ. In this letter, we refer to the station as Station KENT, its current call sign.

² In your letter, you incorrectly state that the 25 percent late charge penalty is \$531.21.

³ Citing FCC Standard Broadcast Station License, File Mimeo BZ-9718 (authorizing Cosmopolitan Broadcasting Corporation, the licensee of Station KOHO (the former call letters for Station KENT), to operate on a frequency of 1170 kHz at 5000 watts at North Latitude 21° 17' 08", West Longitude 157° 48' 08", beginning February 1, 1981) (*February 1, 1981 License*).

*License.*⁴ You assert that this change in authorization resulted in service by the station to only 383,310 people. You also assert that pursuant to a Special Condition subsequently "imposed upon KENT by the Media Bureau requiring protection to the FCC Honolulu Monitoring Station,"⁵ the station was "forced to reduce power" to 50 watts,⁶ which resulted in service by the station to only 156,975 people. You state that "with respect to either operation," Station KENT was permitted to provide service to fewer than 400,001 people. You therefore request that the FY 2002 regulatory fee be reduced to \$1,575.00 and that the associated late charge penalty be reduced to \$393.75.

Our records reflect that on August 2, 2001, Commission staff granted Station KENT special temporary authority to operate from a different site and at a lower wattage from that authorized in the *February 1, 1981 License*. Specifically, Commission staff authorized Station KENT to operate at 1000 watts at North Latitude 21° 26' 18", West Longitude 157° 59' 29" until February 2, 2002.⁷ On September 19, 2001, Commission staff granted Station KENT special temporary authority to remain silent until March 18, 2002.⁸ On March 7, 2002, Commission staff granted Station KENT an extension of the *August 2, 2001 STA Letter* (authorizing the station to operate at 1000 watts at North Latitude 21° 26' 18", West Longitude 157° 59' 29") until September 7, 2002.⁹

The Commission may waive, reduce, or defer regulatory fees only upon a showing of good cause and a finding that the public interest will be served thereby. *See* 47 U.S.C. §159(d); 47 C.F.R. §1.1166; *see also Implementation of Section 9 of the Communications*

⁴ *Citing* Letter from Edward P. De La Hunt, Assistant Chief, Audio Services Division, Mass Media Bureau, FCC, to Dan J. Alpert, Esq. (dated Aug. 2, 2001) (authorizing the station to operate at 1000 watts at North Latitude 21° 26' 18", West Longitude 157° 59' 29"; stating that the special temporary authorization expires on February 2, 2002) (*August 2, 2001 STA Letter*).

⁵ *Citing* FCC AM Broadcast Station Construction Permit, Fac. Id. 13985, Permit File No. BP-20020206AAH (grant date: June 4, 2002) (authorizing AM Radio 1170, Inc. to construct Station KENT at North Latitude 21° 26' 18", West Longitude 157° 59' 29").

⁶ *Citing* Letter from Edward P. De La Hunt, Associate Chief, Audio Division, Mass Media Bureau, FCC, to Dan J. Alpert, Esq. (dated Oct. 17, 2002) (granting AM Radio 1170, Inc. special temporary authority to operate Station KENT at 50 watts; stating that the special temporary authority expires January 17, 2003). This special temporary authorization was granted after the 2002 fiscal year and therefore the terms of the authorization (including the authority to operate at 50 watts) are not relevant here.

⁷ *See August 2, 2001 STA Letter*.

⁸ *See* Letter from H. Taft Snowden, Supervisory Attorney, Audio Services Division, Mass Media Bureau, FCC, to Dan J. Alpert, Esq., Ref. No. 1800B3-ALM (dated Sept. 19, 2001) (*September 19, 2001 STA Letter*).

⁹ *See* Letter from Edward P. De La Hunt, Assistant Chief, Audio Services Division, Mass Media Bureau, FCC, to Dan J. Alpert, Esq. (dated Mar. 7, 2002) (*March 7, 2002 STA Letter*).

Act, Assessment and Collection of Regulatory Fees for the 1994 Fiscal Year, Report and Order, 9 FCC Rcd 5333, 5344 (1994), *on recon.*, *Memorandum Opinion and Order*, 10 FCC Rcd 12,759, para. 12 (1995) (regulatory fees may be waived, deferred, or reduced on a case-by-case basis in extraordinary and compelling circumstances upon a clear showing that a waiver would override the public interest in reimbursing the Commission for its regulatory costs).

Station KENT had authority pursuant to the *September 19, 2001 STA Letter* to remain silent from the beginning of the 2002 fiscal year (i.e., October 1, 2001) until March 18, 2002. Station KENT also had authority pursuant to the *March 7, 2002 STA Letter* to operate at a power lower than and at a site different from that authorized in the *February 1, 1981 License* from March 7, 2002 through September 7, 2002. For almost the entire 2002 fiscal year (with the exception of several weeks in September of 2002), Station KENT's operating authority was different from that authorized in the *February 1, 1981 License*. As a result, the actual population served by Station KENT during the period of time it was not silent was lower than the population that the station would have covered if it had operated pursuant to the terms of the *February 1, 1981 License*. Given that the station's operating authority and the resulting population coverage were different from that under the *February 1, 1981 License* when it was on the air, we find good cause to waive our rules and to grant Station KENT's request for a reduction in its FY 2002 regulatory fee.

Accordingly, we recalculated Station KENT's FY 2002 regulatory fee based upon the station's operations pursuant to the terms of the *March 7, 2002 STA Letter*. Specifically, we requested a population recalculation for Station KENT based upon its operating at 1000 watts at North Latitude 21° 26' 18", West Longitude 157° 59' 29".¹⁰ The recalculation determined that the correct population figure for the station is 261,849. The FY 2002 regulatory fee for a Class B AM station serving a population of 125,001 to 400,000 is \$1,575.00. *See Assessment and Collection of Regulatory Fees for Fiscal Year 2002, Report and Order*, 17 FCC Rcd 16,177, Attachment D (2002). Accordingly, we grant your request and reduce Station KENT's FY 2002 regulatory fee from \$2,525.00 to \$1,575.00. We also reduce the 25 percent late charge penalty for late payment of the FY 2002 regulatory fee from \$631.25 to \$393.75.

Because Station KENT has already paid a FY 2002 regulatory fee of \$2,525.00, we apply the reduction in the FY 2002 regulatory fee granted in this letter (i.e., \$2,525.00 minus \$1,575.00 equals \$950.00) against the \$393.75 late charge penalty and determine that the Commission owes Station KENT \$556.25 (i.e., \$950.00 minus \$393.75 equals \$556.25). check made payable to the maker of the original check and drawn in the amount of

¹⁰ Consistent with the information provided in Exhibit 7 of your letter, we recalculated the population figure based upon a non-directional antenna with an inverse field of 296.8 millivolts per meter at one kilometer.


Dan J. Albert, Esq.

4.

\$556.25 will be sent to you at the earliest practicable time. If you have any questions concerning this matter, please contact the Revenue & Receivables Operations Group at (202) 418-1995.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark A. Reger", with a stylized flourish at the end.

 Mark A. Reger
Chief Financial Officer

00000 RFA6 - 03 - 067

The Law Office of

Dan J. Alpert

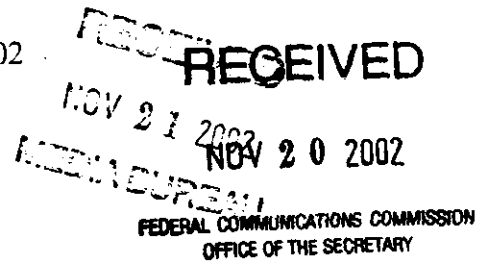
2120 N. 21st Rd.
Suite 400
Arlington, VA 22201

(703) 243-8690

(703) 243-8692 (FAX)

November 14, 2002

Mr. Andrew S. Fishel
Managing Director
Federal Communications Commission
445 12th St. S.W..
Washington, DC 20554



**Re: Station KENT
Honolulu, HI
Facility No. 13985**

Dear Mr. Fishel:

AM Radio 1170, Inc. by its attorney, hereby requests rescission of the "Bill for Collection" attached hereto as Exhibit 1, and partial refund of the 2002 Annual Regulatory Fee paid with respect to the above referenced station.

An Annual Regulatory Fee of \$2,525.00 was paid for KENT. Exhibit 2. A "Bill for Collection" in the amount of \$531.25 was issued due to the fact that the fee evidently was not received by the FCC by September 25, 2002.

However, in actuality, no additional fee should be due, and a partial refund of the \$2,525.00 already paid is warranted. Upon further research, it was realized the \$2,525.00 Annual Regulatory Fee was assessed based upon KENT's previously licensed facilities which allowed operation at 5000 watts (shown in Exhibit 3), which provided service to an estimated 482,020 persons. See Exhibit 4. However, KENT has not operated from that site for many years, insofar as in 1993 KOHO (the former call letters of KENT) lost access to that site in 1993, and the site was dismantled. As of the beginning of FY2002 (October 1, 2001), pursuant to a Special Temporary Authorization issued by the Audio Services Division of the Mass Media Bureau, KENT was permitted to operate from 21° 26' 18" N, 157° 59' 29" W at a power of only 1000 watts. Exhibit 5. This allowed service to a population of only 383,310 persons. Exhibit 6. As a result of a Special Condition imposed upon KENT by the Media Bureau requiring protection to the FCC Honolulu Monitoring Station (Exhibit 7), at the time the Annual Regulatory Fee was due (September 25, 2002), KENT was forced to reduce power below that specified in its outstanding construction permit, and was permitted to operate to operate from 21° 26' 18" N, 157° 59' 29" W at a power of only 50 watts (Exhibit 8), which resulted in service to only 156,975 persons. Exhibit 6. Therefore, with respect to either operation, KENT was permitted to provide service to fewer than 400,001 persons which, under the FY 2002 Media Services Regulatory Fees Schedule, requires an Annual Regulatory Fee of only \$1,575.00 and which, coupled with a 25% penalty for late filing, should require a total fee of only \$1,968.75.

RECEIVED JAN 15 2003

The Commission has stated that in the case of a population calculation error resulting in an overstated fee amount, if the Media Regulatory Fees Public Notice for FY 2002 contains a population calculation and related fee error and the licensee provides the appropriate verification of the error before September 30, 2005, the Commission will refund the amount overpaid. *Assessment and Collection of Regulatory Fees for Fiscal Year 2002*, 27 CR 82 ¶ 31 (2002). Therefore, in this case, a refund of \$556.25 is warranted.

Accordingly, a refund of \$556.25 from the Annual Regulatory Fee already paid hereby is requested.

WHEREFORE, it respectfully is requested that this request be granted.

Very truly yours,

Dan J. Alpert

Counsel for AM Radio 1170, Inc.

Exhibit 1

Federal Communications Commission BILL FOR COLLECTION		FOR INQUIRIES CALL 1-202-418-1995 (Revenue & Receivable Ops Group)
Bill Number		Current Bill Date
0318000091		10/17/02
PAYER FPN#	APPLICANT FPN#	
0007722104	0005932603	
KBNZ, Inc. 210 North 1000 East PM Box: 1450 St. George, UT 847711450		Payable to: Federal Communications Commission Send a copy of this bill to: Federal Communications Commission REVENUE & RECEIVABLE OPER. P.O. BOX 358340 PITTSBURGH, PA 15251-8340
Total Amount Due		Due Date
631.25		11/01/02
Total Amount Due Must Be Received By		
11/01/02		
SPECIAL INSTRUCTIONS (OPTIONAL)		
PAYER FCC REGISTRATION NUMBER (FPN) REQUIRED		
Assess penalty for late regulatory fee payment not received by 09/25/02		
FCN: 0210018835422002 CALL SIGN: KENT		
PAYER ADDRESS: Legacy Communications Corporation 210 North 1000 East P.O. Box 1450 St. George, UT 84770		
Please write your bill number on your remittance. Please attach a copy of this bill to your payment to ensure proper credit.		
ETC	Quantity	Fee Due
0299	1	631.25
Total Due		631.25
Payment Method: Check <input type="checkbox"/> (Attach)		
Credit Card <input type="checkbox"/> (Complete Below)		
<input type="checkbox"/> MasterCard <input type="checkbox"/> American Express		
<input type="checkbox"/> VISA <input type="checkbox"/> Discover		
Account No:		
<div style="border: 1px solid black; height: 20px; width: 100%;"></div>		
Expiration:		
<div style="display: flex; justify-content: space-around;"><div style="border: 1px solid black; width: 40px; height: 20px; display: flex; align-items: center; justify-content: center;">Month</div><div style="border: 1px solid black; width: 40px; height: 20px; display: flex; align-items: center; justify-content: center;">Year</div></div>		
I hereby authorize the FCC to charge my Credit Card for the service(s) / authorization(s) herein described.		
AUTHORIZED SIGNATURE DATE		

Exhibit 2

READ INSTRUCTIONS CAREFULLY
BEFORE PROCEEDING

FEDERAL COMMUNICATIONS COMMISSION
REMITTANCE ADVICE

Approved by OMB
3060-01589
Page No. of

(1) LOCKBOX #

SPECIAL USE

FCC USE ONLY

SECTION A - PAYER INFORMATION

(2) PAYER NAME (if paying by credit card, enter name exactly as it appears on your card)

(3) TOTAL AMOUNT PAID (U.S. Dollars and Cents)

LEIGHAN COMMUNICATIONS

2525.00

(4) STREET ADDRESS LINE NO. 1

2110 NORTH 11000 EAST

(5) STREET ADDRESS LINE NO. 2

(6) CITY

ST GEORGE

(7) STATE

UT

(8) ZIP CODE

(9) DAYTIME TELEPHONE NUMBER (include area code)

11435162811000

(10) COUNTRY CODE (if not in U.S.A.)

FCC REGISTRATION NUMBER (FRN) AND TAX IDENTIFICATION NUMBER (TIN) REQUIRED

(11) PAYER (FRN)

010017-172211-1814

(12) PAYER (TIN)

870579824

IF PAYER NAME AND THE APPLICANT NAME ARE DIFFERENT, COMPLETE SECTION B
IF MORE THAN ONE APPLICANT, USE CONTINUATION SHEETS (FORM 159-C)

(13) APPLICANT NAME

AM RADIO 1170, INC

(14) STREET ADDRESS LINE NO. 1

2110 NORTH 1000 EAST

(15) STREET ADDRESS LINE NO. 2

(16) CITY

ST GEORGE

(17) STATE

UT

(18) ZIP CODE

847170

(19) DAYTIME TELEPHONE NUMBER (include area code)

11435162811000

(20) COUNTRY CODE (if not in U.S.A.)

FCC REGISTRATION NUMBER (FRN) AND TAX IDENTIFICATION NUMBER (TIN) REQUIRED

(21) APPLICANT (FRN)

00051-19326-103

(22) APPLICANT (TIN)

8706405711

COMPLETE SECTION C FOR EACH SERVICE, IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEET

(23A) CALL SIGN/OTHER ID

KENT

(24A) PAYMENT TYPE CODE

0227

(25A) QUANTITY

1

(26A) FEE DUE FOR (PTC)

2525.00

(27A) TOTAL FEE

2525.00

FCC USE ONLY

(28A) FCC CODE 1

13985

(29A) FCC CODE 2

WTHOWOKWLLU

(23B) CALL SIGN/OTHER ID

(24B) PAYMENT TYPE CODE

(25B) QUANTITY

(26B) FEE DUE FOR (PTC)

(27B) TOTAL FEE

FCC USE ONLY

(28B) FCC CODE 1

(29B) FCC CODE 2

SECTION D - CERTIFICATION

(30) CERTIFICATION STATEMENT

I, E. MORAN SKINNER, JR. certify under penalty of perjury that the foregoing and supporting information is true and correct to the best of my knowledge, information and belief.

SIGNATURE

E. Moran Skinner, Jr.

DATE

09-25-2002

SECTION E - CREDIT CARD PAYMENT INFORMATION

(31)

☐

MASTERCARD

MASTERCARD/VISA ACCOUNT NUMBER:

EXPIRATION

☐

VISA

I hereby authorize the FCC to charge my VISA or MASTERCARD for the service(s)/authorization herein described.

SIGNATURE

DATE

Exhibit 3

UNITED STATES OF AMERICA
FEDERAL COMMUNICATIONS COMMISSION

File No.: BZ-9718

Call Sign: K O H O

STANDARD BROADCAST STATION LICENSE

Subject to the provisions of the Communications Act of 1934, subsequent Acts, and Treaties, and Commission Rules made thereunder, and further subject to conditions set forth in this license, the LICENSEE

COSMOPOLITAN BROADCASTING CORPORATION

is hereby authorized to use and operate the radio transmitting apparatus hereinafter described for the purpose of broadcasting for the term ending 3 a.m. Local Time February 1, 1981

The licensee shall use and operate said apparatus only in accordance with the following terms:

1. On a frequency of 1170 kHz.
2. With nominal power of 5 kilo watts nighttime and 5 kilo watts daytime, with antenna input power of 3000 watts non directional antenna nighttime antenna and antenna input power of 3000 watts non directional antenna daytime

current	17.7	amperes
resistance	16.0	ohms
current	17.7	amperes
resistance	16.0	ohms
3. Hours of operation: Unlimited:
4. With the station located at: Honolulu, Hawaii
5. With the main studio located at: 1140-A 12th Avenue, Honolulu, Hawaii
6. Remote control point: 1140-A 12th Avenue, Honolulu, Hawaii
7. Transmitter location: North Latitude: 21° 17' 08" 1140-A 12th Avenue West Longitude: 157° 48' 08" Honolulu, Hawaii
ANTENNA: 220' (224' overall height) uniform cross-section, series excited vertical radiator with KAIM-FM 8-bay FM antenna side-mounted near the top. Antenna structure shared by Station KAIM and Station KDMU. Theoretical efficiency: 175 mV/m/kW. Ground system consists of 240 equally spaced, buried, copper radials 48 to 139 feet in length plus a 40 by 40 foot ground screen.
8. Observation marking specifications in accordance with the following paragraphs of FCC Form 714: 1, 3, 11 & 21.
9. Transmitter(s): ROTOCRAFT 100
10. Conditions: Licensee shall take necessary steps to minimize radiation of harmonic and other spurious emission in the event that such spurious emissions interfere with the Commission's monitoring operation at Waipahu.

The Commission reserves the right during said license period of terminating this license or making effective any changes or modification of this license which may be necessary to comply with any decision of the Commission rendered on a result of any hearing held under the rules of the Commission prior to the commencement of this license period or any decision rendered on a result of any such hearing which has been designated but not held, prior to the commencement of this license period.

This license is issued on the licensee's representation that the statements contained in licensee's application are true and that the undertakings therein contained as far as they are consistent herewith, will be carried out in good faith. The licensee shall, during the term of this license, render such broadcasting service as will serve public interest, convenience, or necessity to the full extent of the privileges hereby conferred.

This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequency designated in the license beyond the term hereof, nor in any other manner than authorized herein. Neither the licensee nor the right granted hereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934. This license is subject to the right of use or control by the Government of the United States conferred by Section 606 of the Communications Act of 1934.

✓ This license consists of this page and page 2

FEDERAL
COMMUNICATIONS COMMISSION



Exhibit 4

[FCC Home](#) | [Search](#) | [Updates](#) | [E-Filing](#) | [Initiatives](#) | [For Consumers](#) | [Find People](#)**FCC Fees**[FCC](#) > [Fees](#) > 2002 AM & FM Radio Station Fees Search Page[site map](#)[Home](#)[Application Processing Fees](#)[Regulatory Fees](#)[FeeFiler 2002](#)[Form 159](#)[Electronic Transfer](#)[Wire Transfer](#)[AM & FM Fee Search](#)[Customer Initiated Payments Overview & Set-up Form](#)[Commission Registration System](#)**2002 AM & FM Radio Station Fees Search Page****Instructions:**

1. Click in the related radio button.
2. Type your Call Sign, State, or City in the text box.
3. Click the SUBMIT button.
4. Scroll down the page to see your answers.

☐ Call Sign ☐ State ☐ City

Note: For STATE searches use the two letter postal code (Ex. Ohio is OH).

SUBMIT

Search Results

Call Sign	Service	Location	Class	Population	Fee	Fee Code
KENT	AM	Honolulu, HI	B	482,030	\$2,525	0227

last reviewed/updated on 8/8/02[FCC Home](#) | [Search](#) | [Updates](#) | [E-Filing](#) | [Initiatives](#) | [For Consumers](#) | [Find People](#)

Federal Communications
Commission
445 12th Street SW
Washington, DC 20554
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Phone: 888-CALL-FCC (225-5322)
TTY: 888-TELL-FCC (835-5322)
Fax: 202-418-0232
E-mail: fccinfo@fcc.gov

- [Web Policies & Privacy Statement](#)
- [Required Browser Plug-ins](#)
- [Customer Service Standards](#)
- [Freedom of Information Act](#)

Exhibit 5

FEDERAL COMMUNICATIONS COMMISSION
445 TWELFTH STREET SW
WASHINGTON DC 20554

MASS MEDIA BUREAU
AUDIO SERVICES DIVISION
TECHNICAL PROCESSING GROUP
APPLICATION STATUS: (202) 418-2730
HOME PAGE: www.fcc.gov/mmb/asd/

PROCESSING ENGINEER: CHARLES N. (NORM) MILLER
TELEPHONE: (202) 418-2767
FACSIMILE: (202) 418-1410
MAIL STOP: 1800B2
INTERNET ADDRESS: cnmiller@fcc.gov

August 2, 2001

Dan J. Alpert, Esq.
2120 North 21st Road
Suite 400
Arlington, Virginia 22201

In re: KBNZ(AM), Honolulu, Hawaii
KBNZ, Inc.
Special Temporary Authority

Dear Mr. Alpert:

This is in reference to your letter of July 20, 2001, filed on behalf of KBNZ, Inc. (KI). Modification and further extension are requested of the special Temporary Authority (STA) originally granted on May 3, 2000, for operation of Station KBNZ from a site other than the licensed site, with reduced power of 1000 watts, unlimited hours, employing a temporary, center-fed wire antenna.¹

In support of the request, KI states that the previous STA site is no longer available to Station KBNZ and that the station currently is silent. KI states that it has located a new temporary site, from which it hopes to establish as a new, permanent transmitter site. Technical details for the proposed STA operation are provided

Requests for extension of STA will be granted only where the licensee can show that one or more of the following criteria have been met:

- Restoration of licensed facilities is complete and testing is underway;
- Substantial progress has been made during the most recent STA period toward restoration of licensed operation; or
- No progress has been made during the most recent STA period for reasons clearly beyond the licensee's control, and the licensee has taken all possible steps to expeditiously resolve the problem.

Our review indicates that the licensee has made substantial progress in that it has located a new

¹ KBNZ is licensed for operation on 1170 kHz with power of 5 kilowatts, unlimited hours, employing an omnidirectional antenna. Construction Permit BP-970108AC authorizes a change in site and operation with 5 kilowatts day and 4.8 kilowatts night.

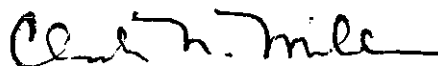
site which it hopes to establish as a new, permanent transmitter site for Station KBNZ. Thus, extension of STA is warranted.


Accordingly, in order to maintain service to the public pending the filing of an application for construction permit, the request for modification and extension of STA IS HEREBY GRANTED. Station KBNZ may operate from a site at geographic coordinates 21° 26' 18" NL, 157° 59' 29" WL, with reduced power of 1000 watts, unlimited hours, employing a temporary, center-fed wire antenna. It will be necessary to reduce power or cease operation if complaints of interference are received. KI must take whatever measures are necessary to protect the public and workers from exposure to radio frequency radiation in excess of the Commission's exposure guidelines. See 47 CFR §1.1310. It is anticipated that an application for construction permit for new, permanent facilities will be filed prior to the expiration date below.

Notwithstanding the grant of this STA or the expiration date specified herein, the station's license will expire as a matter of law upon twelve consecutive months of silence. See Pub. Law No. 104-104, 110 Stat. 56, § 403(1) (1996) and *Order, Silent Station Authorizations*, FCC 96-218 (released May 17, 1996). See also *Public Notice, Expedited Processing of Applications Filed by Silent Stations*, DA 96-818 (May 22, 1996). The licensee must notify the Audio Services Division immediately upon resumption of broadcasting.

This authority expires on **February 2, 2002**.

Sincerely,



 Edward P. De La Hunt
Assistant Chief
Audio Services Division
Mass Media Bureau

cc: KBNZ, Inc.

Exhibit 6

ENGINEERING STATEMENT OF WILLIAM SITZMAN

Population counts have been performed with respect to the following former and current facilities of Station KENT, Honolulu, Hawaii. Employing FCC notified antenna efficiency and soil conductivity of 4 mS/m on Island of Oahu, the results are as follows:

Licensed Site

21° 17' 08" N, 157° 48' 08" W

Power: 5000 Watts

Service within 5.0 mV/m service contour:

579,716 persons (2000 US Census & conductivity of 4 mS/m)

475,754 persons (2000 US Census & conductivity of 2 mS/m, as appears in some databases)

Former STA Operation

21° 26' 18" N, 157° 59' 29" W

Power: 1000 Watts

Service within 5.0 mV/m service contour:

383,310 persons (2000 US Census)

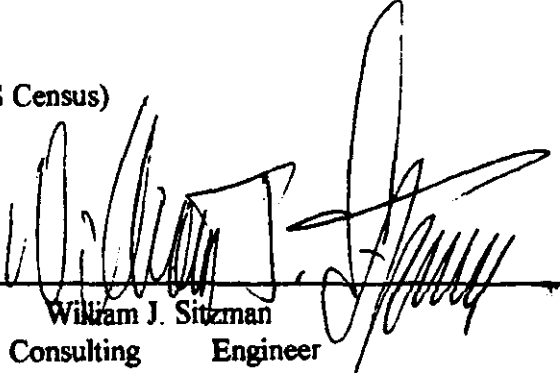
Current Operation:

21° 26' 18" N, 157° 59' 29" W

Power: 50 Watts

Service within 5.0 mV/m service contour

156,975 persons (2000 US Census)



William J. Sitzman
Consulting Engineer

KENT 5 KW LIC ENG DATA & POPULATION

Call sign : KENT (LIC)
 Coordinates : 21-17-08.0 N, 157-48-08.0 W
 Comments :
 Frequency (KHz) : 1170
 Power (w) : 5000.000
 Pattern : AU
 Efficiency : 630.57 mV/m
 Desc : ND1
 City/State : HONOLULU, HI
 ARN :
 Licenses : KBNZ, INC.

Tower	Field	Phase	Sprrng	Ovmt	Hght	TopLd
1	1.000	0.0	0.0	0.0	84.2	0.0

Brng	Span	mV/m
0	180	630.57

Field Brng	mV/m	Brng	mV/m	Brng	mV/m	Brng	mV/m	Brng	mV/m
0	630.570	75	630.570	150	630.570	225	630.570	300	630.570
5	630.570	80	630.570	155	630.570	230	630.570	305	630.570
10	630.570	85	630.570	160	630.570	235	630.570	310	630.570
15	630.570	90	630.570	165	630.570	240	630.570	315	630.570
20	630.570	95	630.570	170	630.570	245	630.570	320	630.570
25	630.570	100	630.570	175	630.570	250	630.570	325	630.570
30	630.570	105	630.570	180	630.570	255	630.570	330	630.570
35	630.570	110	630.570	185	630.570	260	630.570	335	630.570
40	630.570	115	630.570	190	630.570	265	630.570	340	630.570
45	630.570	120	630.570	195	630.570	270	630.570	345	630.570
50	630.570	125	630.570	200	630.570	275	630.570	350	630.570
55	630.570	130	630.570	205	630.570	280	630.570	355	630.570
60	630.570	135	630.570	210	630.570	285	630.570		
65	630.570	140	630.570	215	630.570	290	630.570		
70	630.570	145	630.570	220	630.570	295	630.570		

0.0 ohm K	: 0.000	1.0 ohm K	: 0.000
RSS	: 0.000	RMS	: 0.000
RSS	: 0.000		

Contour type : Ground Wave
 Signal strength : 5.000 mV/m
 Area covered : 4996.500 sq. km
 Population covered : 579716 persons (ONLY LAND AREA CONSIDERED)

Azimuth Degrees	Field mV/m @ 1 km	Contour mV/m	Distance km				
0	630.57	5.000	22.32	260	630.57	5.000	28.39
5	630.57	5.000	22.32	265	630.57	5.000	28.19
10	630.57	5.000	22.32	270	630.57	5.000	22.32
15	630.57	5.000	22.32	275	630.57	5.000	22.32
20	630.57	5.000	22.32	280	630.57	5.000	22.32
25	630.57	5.000	22.32	285	630.57	5.000	22.32
30	630.57	5.000	26.39	290	630.57	5.000	22.32
35	630.57	5.000	36.73	295	630.57	5.000	22.32
40	630.57	5.000	36.73	300	630.57	5.000	22.32
45	630.57	5.000	42.12	305	630.57	5.000	22.32
50	630.57	5.000	42.12	310	630.57	5.000	22.32
55	630.57	5.000	42.75	315	630.57	5.000	22.32
60	630.57	5.000	42.75	320	630.57	5.000	22.32
65	630.57	5.000	65.05	325	630.57	5.000	22.32
70	630.57	5.000	65.05	330	630.57	5.000	22.32
75	630.57	5.000	67.11	335	630.57	5.000	22.32
80	630.57	5.000	23.28	340	630.57	5.000	22.32
85	630.57	5.000	23.28	345	630.57	5.000	22.32
90	630.57	5.000	23.28	350	630.57	5.000	22.32
95	630.57	5.000	23.28	355	630.57	5.000	22.32
100	630.57	5.000	22.32				
105	630.57	5.000	22.32				
110	630.57	5.000	22.32				
115	630.57	5.000	22.32				
120	630.57	5.000	22.32				
125	630.57	5.000	22.32				
130	630.57	5.000	22.32				
135	630.57	5.000	22.32				
140	630.57	5.000	22.32				
145	630.57	5.000	23.12				
150	630.57	5.000	23.12				
155	630.57	5.000	67.61				
160	630.57	5.000	67.61				
165	630.57	5.000	67.61				
170	630.57	5.000	67.61				
175	630.57	5.000	81.44				
180	630.57	5.000	75.83				
185	630.57	5.000	75.83				
190	630.57	5.000	72.25				
195	630.57	5.000	72.25				
200	630.57	5.000	58.90				
205	630.57	5.000	58.90				
210	630.57	5.000	42.12				
215	630.57	5.000	42.12				
220	630.57	5.000	42.12				
225	630.57	5.000	42.12				
230	630.57	5.000	42.12				
235	630.57	5.000	42.75				
240	630.57	5.000	42.75				
245	630.57	5.000	44.96				
250	630.57	5.000	32.18				
255	630.57	5.000	32.18				

Call sign : KENT
 Coordinates : 21-26-18.0 N, 157-59-29.0 W
 Comments :
 Frequency (MHz) : 1170
 Power (W) : 1000.000
 Pattern : AU
 Efficiency : 296.819 mV/M
 Desc : N01
 City/State : HONOLULU, HI
 AAR :
 Licensee : KBMZ, INC.

Tower	Field	Phase	Sprrng	Ornt	Hght	TopLd
1	1.000	0.0	0.0	0.0	76.3	0.0

Brng Span mV/M

Field	Brng	mV/m	Brng	mV/m	Brng	mV/m	Brng	mV/m	Brng	mV/m
0	296.819	75	296.819	150	296.819	225	296.819	300	296.819	
5	296.819	80	296.819	155	296.819	230	296.819	305	296.819	
10	296.819	85	296.819	160	296.819	235	296.819	310	296.819	
15	296.819	90	296.819	165	296.819	240	296.819	315	296.819	
20	296.819	95	296.819	170	296.819	245	296.819	320	296.819	
25	296.819	100	296.819	175	296.819	250	296.819	325	296.819	
30	296.819	105	296.819	180	296.819	255	296.819	330	296.819	
35	296.819	110	296.819	185	296.819	260	296.819	335	296.819	
40	296.819	115	296.819	190	296.819	265	296.819	340	296.819	
45	296.819	120	296.819	195	296.819	270	296.819	345	296.819	
50	296.819	125	296.819	200	296.819	275	296.819	350	296.819	
55	296.819	130	296.819	205	296.819	280	296.819	355	296.819	
60	296.819	135	296.819	210	296.819	285	296.819			
65	296.819	140	296.819	215	296.819	290	296.819			
70	296.819	145	296.819	220	296.819	295	296.819			

0.0 ohm K : 0.000 1.0 ohm K : 0.000
 RMR : 0.000 RMR : 0.000
 RSS : 0.000

Contour type : Ground Wave
 Signal strength : 5.000 mV/m
 Area covered : 823.300 sq. km
 Population covered: 383310 persons

Altitude	Field	Contour	Distance				
Degrees	mV/m @ 1 km	mV/m	km				
0	296.82	5.000	15.56				
5	296.82	5.000	15.56				
10	296.82	5.000	15.56	260	296.82	5.000	15.56
15	296.82	5.000	15.56	265	296.82	5.000	15.56
20	296.82	5.000	15.56	270	296.82	5.000	15.56
25	296.82	5.000	15.56	275	296.82	5.000	15.56
30	296.82	5.000	15.56	280	296.82	5.000	15.56
35	296.82	5.000	15.56	285	296.82	5.000	15.56
40	296.82	5.000	15.56	290	296.82	5.000	15.56
45	296.82	5.000	15.56	295	296.82	5.000	15.56
50	296.82	5.000	15.56	300	296.82	5.000	15.56
55	296.82	5.000	15.56	305	296.82	5.000	15.56
60	296.82	5.000	15.56	310	296.82	5.000	15.56
65	296.82	5.000	15.56	315	296.82	5.000	15.56
70	296.82	5.000	15.56	320	296.82	5.000	15.56
75	296.82	5.000	15.56	325	296.82	5.000	15.56
80	296.82	5.000	15.56	330	296.82	5.000	15.56
85	296.82	5.000	15.56	335	296.82	5.000	15.56
90	296.82	5.000	15.56	340	296.82	5.000	15.56
95	296.82	5.000	15.56	345	296.82	5.000	15.56
100	296.82	5.000	15.56	350	296.82	5.000	15.56
105	296.82	5.000	15.56	355	296.82	5.000	15.56
110	296.82	5.000	15.56				
115	296.82	5.000	15.56				
120	296.82	5.000	15.56				
125	296.82	5.000	15.56				
130	296.82	5.000	15.56				
135	296.82	5.000	15.56				
140	296.82	5.000	15.56				
145	296.82	5.000	15.56				
150	296.82	5.000	15.56				
155	296.82	5.000	15.56				
160	296.82	5.000	15.56				
165	296.82	5.000	15.56				
170	296.82	5.000	15.56				
175	296.82	5.000	15.56				
180	296.82	5.000	15.56				
185	296.82	5.000	15.56				
190	296.82	5.000	15.56				
195	296.82	5.000	15.56				
200	296.82	5.000	15.56				
205	296.82	5.000	15.56				
210	296.82	5.000	15.56				
215	296.82	5.000	15.56				
220	296.82	5.000	15.56				
225	296.82	5.000	15.56				
230	296.82	5.000	15.56				
235	296.82	5.000	15.56				
240	296.82	5.000	15.56				
245	296.82	5.000	15.56				
250	296.82	5.000	15.56				
255	296.82	5.000	15.56				

Call sign : KENT
 Coordinates : 21-26-18.0 N, 157-59-29.0 W
 Comments :
 Frequency (kHz) : 1170
 Power (W) : 50.000
 Pattern : AU
 Efficiency : 66.371 mV/m
 Desc : NDI
 City/State : HONOLULU, HI
 ARN :
 Licensee : KBNZ, INC.

Tower	Field	Phase	Spchg	Ornt	Hght	TopLd
1	1.000	0.0	0.0	0.0	76.3	0.0

Brng	Span	mV/m

Field Brng	mV/m	Brng	mV/m	Brng	mV/m	Brng	mV/m	Brng	mV/m
0	66.371	75	66.371	150	66.371	225	66.371	300	66.371
5	66.371	80	66.371	155	66.371	230	66.371	305	66.371
10	66.371	85	66.371	160	66.371	235	66.371	310	66.371
15	66.371	90	66.371	165	66.371	240	66.371	315	66.371
20	66.371	95	66.371	170	66.371	245	66.371	320	66.371
25	66.371	100	66.371	175	66.371	250	66.371	325	66.371
30	66.371	105	66.371	180	66.371	255	66.371	330	66.371
35	66.371	110	66.371	185	66.371	260	66.371	335	66.371
40	66.371	115	66.371	190	66.371	265	66.371	340	66.371
45	66.371	120	66.371	195	66.371	270	66.371	345	66.371
50	66.371	125	66.371	200	66.371	275	66.371	350	66.371
55	66.371	130	66.371	205	66.371	280	66.371	355	66.371
60	66.371	135	66.371	210	66.371	285	66.371		
65	66.371	140	66.371	215	66.371	290	66.371		
70	66.371	145	66.371	220	66.371	295	66.371		

0.0 ohm K : 0.000 1.0 ohm K : 0.000
 RMS : 0.000 ARMS : 0.000
 RSS : 0.000

Contour type : Ground Wave
 Signal strength : 5.000 mV/m
 Area covered : 144.100 sq. km
 Population covered: 156975 persons

Azimuth Degrees	Field mV/m @ 1 km	Contour mV/m	Distance km
0	66.37	5.000	6.62
5	66.37	5.000	6.62
10	66.37	5.000	6.62
15	66.37	5.000	6.62
20	66.37	5.000	6.62
25	66.37	5.000	6.62
30	66.37	5.000	6.62
35	66.37	5.000	6.62
40	66.37	5.000	6.62
45	66.37	5.000	6.62
50	66.37	5.000	6.62
55	66.37	5.000	6.62
60	66.37	5.000	6.62
65	66.37	5.000	6.62
70	66.37	5.000	6.62
75	66.37	5.000	6.62
80	66.37	5.000	6.62
85	66.37	5.000	6.62
90	66.37	5.000	6.62
95	66.37	5.000	6.62
100	66.37	5.000	6.62
105	66.37	5.000	6.62
110	66.37	5.000	6.62
115	66.37	5.000	6.62
120	66.37	5.000	6.62
125	66.37	5.000	6.62
130	66.37	5.000	6.62
135	66.37	5.000	6.62
140	66.37	5.000	6.62
145	66.37	5.000	6.62
150	66.37	5.000	6.62
155	66.37	5.000	6.62
160	66.37	5.000	6.62
165	66.37	5.000	6.62
170	66.37	5.000	6.62
175	66.37	5.000	6.62
180	66.37	5.000	6.62
185	66.37	5.000	7.45
190	66.37	5.000	7.45
195	66.37	5.000	7.45
200	66.37	5.000	7.45
205	66.37	5.000	6.62
210	66.37	5.000	6.62
215	66.37	5.000	9.81
220	66.37	5.000	9.81
225	66.37	5.000	6.62
230	66.37	5.000	6.62
235	66.37	5.000	6.62
240	66.37	5.000	6.62
245	66.37	5.000	6.62
250	66.37	5.000	6.62
255	66.37	5.000	6.62

Exhibit 7



United States of America
FEDERAL COMMUNICATIONS COMMISSION
AM BROADCAST STATION CONSTRUCTION PERMIT

Authorizing Official:

Official Mailing Address:

AM RADIO 1170, INC.
210 NORTH 1000 EAST
ST. GEORGE UT 84770

Son Nguyen
Supervisory Engineer
Audio Division
Media Bureau

Facility Id: 13985

Call Sign: KENT

Permit File Number: BP-20020206AAH

Grant Date: June 04, 2002

This permit expires 3:00 a.m.
local time, 36 months after the
grant date specified above.

Subject to the provisions of the Communications Act of 1934, as amended, subsequent acts and treaties, and all regulations heretofore or hereafter made by this Commission, and further subject to the conditions set forth in this permit, the permittee is hereby authorized to construct the radio transmitting apparatus herein described. Installation and adjustment of equipment not specifically set forth herein shall be in accordance with representations contained in the permittee's application for construction permit except for such modifications as are presently permitted, without application, by the Commission's Rules.

Commission rules which became effective on February 16, 1999, have a bearing on this construction permit. See Report & Order, Streamlining of Mass Media Applications, MM Docket No. 98-43, 13 FCC RCD 23056, Para. 77-90 (November 25, 1998); 63 Fed. Reg. 70039 (December 18, 1998). Pursuant to these rules, this construction permit will be subject to automatic forfeiture unless construction is complete and an application for license to cover is filed prior to expiration. See Section 73.3598.

Equipment and program tests shall be conducted only pursuant to Sections 73.1610 and 73.1620 of the Commission's Rules.

Hours of Operation: Unlimited

Average hours of sunrise and sunset:
Local Standard Time (Non-Advanced)

Jan.	7:15 AM	6:15 PM	Jul.	6:00 AM	7:15 PM
Feb.	7:00 AM	6:30 PM	Aug.	6:15 AM	7:00 PM
Mar.	6:45 AM	6:45 PM	Sep.	6:15 AM	6:30 PM
Apr.	6:15 AM	6:45 PM	Oct.	6:30 AM	6:15 PM
May	6:00 AM	7:00 PM	Nov.	6:45 AM	5:45 PM
Jun.	5:45 AM	7:15 PM	Dec.	7:00 AM	5:45 PM

Callsign: KENT

Permit No.: BP-20020206AAH

Name of Permittee: AM RADIO 1170, INC.

Station Location: HONOLULU, HI

Frequency (kHz): 1170

Station Class: B

Antenna Coordinates:

Day

Latitude: N 21 Deg 26 Min 18 Sec

Longitude: W 157 Deg 59 Min 29 Sec

Night

Latitude: N 21 Deg 26 Min 18 Sec

Longitude: W 157 Deg 59 Min 29 Sec

Transmitter(s): Type Accepted. See Sections 73.1660, 73.1665 and 73.1670 of the Commission's Rules.

Nominal Power (kW): Day: 6.0 Night: 4.5

Antenna Mode: Day: ND Night: ND

(DA=Directional Antenna, ND=Non-directional Antenna; CH=Critical Hours)

Antenna Registration Number(s):

Day:

Tower No.	ASRN	Overall Height (m)
1	None	55

Night:

Tower No.	ASRN	Overall Height (m)
1	None	55

Non-Directional Antenna: Day

Radiator Height: 54.3 meters; 76.3 deg

Theoretical Efficiency: 296.8 mV/m/kw at 1km

Non-Directional Antenna: Night

Radiator Height: 54.3 meters; 76.3 deg

Theoretical Efficiency: 296.8 mV/m/kw at 1km

Special operating conditions or restrictions:

1 .Special Conditions (4)

."The authority granted herein is subject to the following conditions:

(1) .The maximum fundamental field strength produced by the proposed transmitter shall not exceed 10 millivolt per meter (mV/m) as measured at the Federal Communications Commission's HONOLULU, HI monitoring station at any time.

(2) .Any and all spurious emissions, other than on frequencies contained within the AM Broadcast band, which are in any way related to this station's facilities or transmissions, as detected by the monitoring equipment at the Commission's HONOLULU, HI monitoring station shall be no greater than 1 microvolt per meter (V/m), (which is equivalent to 0 dB).

(3) . In the event of interference, including intermodulation, to monitoring, direction finding, or related operations at the Federal Communications Commission's HONOLULU, HI monitoring station, which is in any way related to this station's facilities or transmissions, the licensee shall take such corrective actions as necessary to eliminate the interference. Corrective action shall include the provision, installation, and adjustments of suitable transmitter filter circuits, shielding, or other appropriate devices as may be required to eliminate the interference. If these or other measures do not eliminate the interference, the licensee shall reduce power to comply or cease transmissions.

(4) .If any additional reduction in power is necessary after the station becomes operational to comply with the 10 mV/m in-channel, and the 1 V/m out-of-band limits, or to eliminate interference to the Commission's HONOLULU, HI monitoring station, the licensee shall immediately apply for a Special Temporary Authority (STA) and shall file an application to the Commission for the altered parameters."

The Enforcement Bureau further requests that the Mass Media Bureau inform the applicant of this conditional clause and require that the successful applicant make whatever engineering changes are necessary to the proposal to insure that the field strength over the Commission's monitoring station would comply with the terms of this protective condition. These changes, for example, could be a modification of the antenna design to provide suppression of radiation in the direction of the monitoring station, a reduction in transmitter power output, a relocation of antenna site, or other engineering remedies which would reduce the field strength to no more than 10 mV/m for in-channel, and 1 V/m for out-of-band emissions at the Commission's nearby HONOLULU, HI monitoring station.

If you have any questions regarding this matter, please contact Gabriel Collazo at 418-1217.

Special operating conditions or restrictions:

- 2 Before program tests are authorized, sufficient data shall be submitted to show that adequate filters, traps and other equipment has been installed and adjusted to prevent interaction, intermodulation and/or generation of spurious radiation products which may be caused by common usage of the same antenna system by Stations KENT, KLHT and KIFO, and there shall be filed with the license application copies of a firm agreement entered into by the two (2) stations involved clearly fixing the responsibility of each with regard to the installation and maintenance of such equipment. In addition, field observations shall be made to determine whether spurious emissions exist and any objectionable problems resulting therefrom shall be eliminated. Following construction, and prior to authorization of program test under this grant, Stations KENT, KLHT, and KIFO shall each measure antenna or common point resistance and submit FCC Form 302 as application notifying the return to direct measurement of power.
- 3 Permittee shall install a type accepted transmitter, or submit application (FCC Form 301) along with data prescribed in Section 73.1660(b) should non-type accepted transmitter be proposed.
- 4 The proposed antenna shall be excited with a symmetrical folded unipole feed, utilizing a minimum of three folds. Slant wire is not permitted.

*** END OF AUTHORIZATION ***

Exhibit 8

Dan J. Alpert

FCC/MELLON

SEP 23 2002

2120 N. 21st Rd
Suite 400
Arlington, VA 22201

(703) 243-8690

(703) 243-8692 (fax)

September 20, 2002

Federal Communications Commission
Mass Media Services
P.O. Box 358190
Pittsburgh, PA 15251-5190

Re: Station KENT(AM)
Facility No. 13985
Honolulu, HI

To whom this may concern:

AM Radio 1170, Inc., licensee of Station KENT(AM), by its attorney, hereby requests issuance of a Special Temporary Authorization to permit the operation of KENT(AM) with the facilities specified in its outstanding construction permit, but at reduced power. In support thereof, the following is stated:

A copy of KENT(AM)'s construction permit is attached hereto. The construction permit requires KENT(AM) to reduce power to protect the Honolulu, Hawaii Monitoring Station. This power reduction is necessary to comply with this requirement.

Accordingly, AM Radio 1170, Inc. requests consent to operate at 50 watts.

If there are any questions, please contact this office.

Very truly yours,


Dan J. Alpert

Counsel for AM Radio 1170, Inc.

AM RADIO 1170, INC
Radio Station KENT
Honolulu, Hawaii
1170 kHz, CP 6.0 kW-D, 4.49 kW-N, U

ENGINEERING STATEMENT

This engineering statement has been prepared on behalf of AM Radio 1170, Inc., licensee of AM radio station KENT, Honolulu, Hawaii, in support of request for Special Temporary Authority to operate at the tower for which KENT has a construction permit but at a reduced power of 50 watts until issues of received signal strength at the local FCC monitoring station are resolved.. Radio station KIFO (1370 kHz) is also licensed to use the same tower but is presently silent under authorization of the Commission. The existing 3-wire 54.3 meter folded unipole antenna is 76.3 degrees at 1170 kHz and will produce an inverse field of 66.4 mV/m at 50 watts input.

The licensee of KIFO has granted permission to KENT use its antenna system and indeed had another facility on 1040 kHz doing so in years past.

ENVIRONMENTAL CONSIDERATIONS

The Commission's Rules implementing the Environmental Policy Act does not categorize this proposal as a major action, as it does not involve any of the facilities or actions listed under §1.305 or §1.307 of the Rules.

Regarding the non-ionizing radiofrequency emission from the proposed antenna, Table I on page 49 of O.E.T. Bulletin No. 65 lists the distance in meters at which fields from AM stations are predicted to fall below the FCC and ANSI maximum.

The O.E.T. figures require the tower fence to be at least 2 meters from the tower face. Since the applicant proposes fencing complying with that distance requirement, FCC and ANSI limits will not be exceeded.

Should any maintenance worker require access to the tower, KENT will either reduce power or cease operation until workers are outside the tower fence. Appropriate RF warning signs will be placed on all sides of the fence and it may be assumed that there will be no significant effect on the human environment with regard to exposure of the general public.

The applicant reserves the right to make measurements with a power density meter of known accuracy, with KENT at highest power, to determine the actual distance from tower face to tower fence at which the FCC and ANSI standards are not exceeded, including a reasonable safety margin.

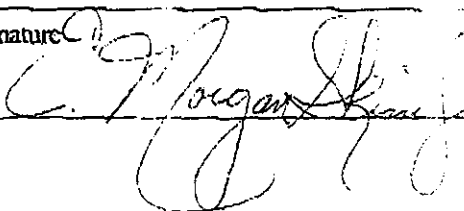
September 20, 2002

William J. Sitzman
Consulting Engineer

CERTIFICATION

The applicant certifies that, in the case of an individual applicant, he or she is not subject to a denial of federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862 or, in the case of a non-individual applicant (e.g., corporation, partnership or other incorporated association) no party to the applicant is subject to a denial of federal benefits that includes FCC benefits pursuant to that section.

☒ [XX] Yes ☐ [] No

Applicant	Date
AM Radio 1170, Inc.	September 20, 2002
Signature	Title
	President

FEDERAL COMMUNICATIONS COMMISSION
445 TWELFTH STREET SW
WASHINGTON DC 20554

MEDIA BUREAU / OFFICE OF BROADCAST LICENSE POLICY
AUDIO DIVISION
APPLICATION STATUS: (202) 418-2730
HOME PAGE: www.fcc.gov/mb/audio/

ENGINEER: CHARLES N. (NORM) MILLER
TELEPHONE: (202) 418-2767
FACSIMILE: (202) 418-1410
INTERNET ADDRESS: cnmiller@fcc.gov

October 17, 2002

Dan J. Alpert, Esq.
2120 North 21st Road, Suite 400
Arlington, Virginia 22201

Re: KENT(AM), Honolulu, Hawaii
Facility Identification Number: 13985
AM Radio 1170, Inc.
Special Temporary Authority

Dear Counsel:

This is in reference to your letter dated September 20, 2002, filed on behalf of AM Radio 1170, Inc. ("Radio"). Special temporary authority ("STA") is requested to operate Station KENT with temporary facilities pursuant to Section 73.1615.¹ In support of the request, Radio states that it holds a construction permit for use of the proposed tower but that operation with reduced power is necessary until issues of received signal strength at the local FCC monitoring station are resolved.

Section 73.1615, which governs operation during modification of facilities, provides that licensees holding construction permits for modification of nondirectional AM facilities may discontinue operation or may operate with temporary facilities to maintain, as nearly as possible, but not exceed, the size of the presently licensed coverage area. Our review indicates that Radio holds Construction Permit BP-20020206AAH, for modification of the KENT facilities, and that the proposed operation complies with the provisions of Section 73.1615.

Accordingly, the request for STA IS HEREBY GRANTED. Station KENT may operate pursuant to Section 73.1615 and the terms and conditions of Construction Permit BP-20020206AAH. In particular, KENT may operate from the construction permit site with reduced power as necessary to comply with the maximum field strength limit at the Commission's monitoring station set forth in the special operating conditions of the permit. Operation with greater power, not to exceed the full power authorized by the permit, may be employed for brief periods in coordination with monitoring station staff, as necessary for determining compliance with the the field strength limits. It will be necessary to further reduce power or cease operation if complaints of interference are received. Radio must use whatever means are necessary to protect workers and the public from exposure to radio frequency radiation in excess of the Commission's exposure guidelines. See 47 CFR § 1.1310.

Simultaneous operation of Stations KENT, KLHT and/or KIFO from the common antenna shall

¹ KENT is licensed for operation on 1170 kHz with 5 kilowatts daytime and 5 kilowatts nighttime, employing a nondirectional antenna (ND-1-U). Construction Permit BP-20020206AAH authorizes relocation of the transmitter and operation with 6 kilowatts daytime and 4.49 kilowatts nighttime.

not commence until sufficient multiplexing equipment has been installed and properly adjusted to reduce all spurious emissions below the levels specified in 47 CFR Section 73.44(b) and the Special Operating Conditions of Construction Permit BP-20020206AAH, whichever shall be less. Within 10 days after commencement of such operation, Radio must submit the results of measurements which demonstrate compliance with the above condition, along with a copy of a signed agreement between the licensees of Stations KENT, KLHT and KIFO which clearly sets forth the responsibilities for installation and maintenance of the diplexing equipment.

This authority expires on **January 17, 2003**.

STA Advisory: Section 309(f) of the Communications Act of 1934, as amended, authorizes the Commission to grant STA in cases of "extraordinary circumstances requiring temporary authorizations in the public interest and when delay in the institution of the temporary operations would seriously prejudice the public interest." However, Section 309(f) is not a means by which a licensee/permittee may circumvent established processing procedures which require the filing of an application, nor is it a means by which a broadcaster may enhance his facility or make operation more convenient for the broadcaster. Stations operating with less than licensed facilities under temporary authorities can be viewed as receiving the benefit of a larger protection area than that in which they are currently providing service.


Accordingly, Special Temporary Authorities by nature are to be temporary and are not intended for extended use. Licensees of stations operating under temporary authorities are reminded that timely restoration of permanent facilities is the responsibility of the licensee and should be undertaken expeditiously. Any request for extension of special temporary authorities carries an increased burden with each subsequent request.

Therefore, requests for extension of STA will be granted only where the licensee can show that one or more of the following criteria have been met:

- Restoration of licensed facilities is complete and testing is underway;
- Substantial progress has been made during the most recent STA period toward restoration of licensed operation; or
- No progress has been made during the most recent STA period for reasons clearly beyond the licensee's control, and the licensee has taken all possible steps to expeditiously resolve the problem.

Sincerely,



 Edward P. De La Hunt, Associate Chief
Audio Division
Office of Broadcast License Policy
Media Bureau

cc: AM Radio 1170, Inc.
FCC Honolulu Office

VanCott

Van Cott, Bagley, Cornwall & McCarthy, P.C.

ATTORNEYS AT LAW • ESTABLISHED 1874

50 South Main Street, Suite 1600
Salt Lake City, Utah 84144-0340
801.532.3333
Fax: 801.534.0058
www.vancott.com

ROBERT M. ANDERSON
Direct Dial: 801.237.0213
Direct Fax: 801.237.0437
email: randerson@vancott.com

November 11, 2002

VIA FACSIMILE

Dan J. Alpert, Esq.
2120 North 21st road, Suite 400
Arlington, VA 22202

Michael F. Skolnick, Esq.
Kipp & Christian, P.C.
10 Exchange Place, 4th Floor
Salt Lake City, UT 84111

John Shoreman, Esq.
McFadden & Shoreman
1730 "K" Street, N.W., Suite 1000
Washington, D.C. 20006-3831

Re: Provo Broadcasting, LLC - Arbitration Case No. 77 168 160 02 JISI

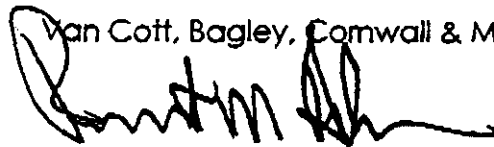
Greetings:

Enclosed is another set of the consent forms to enlarge the authority of Ms. Turner so that Mr. Cocola can proceed with the construction permit applications. We would appreciate receiving this faxed back to us just as soon as possible.

Thank you for your cooperation.

Very truly yours,

Van Cott, Bagley, Cornwall & McCarthy



Robert M. Anderson

RMA:kk
Enclosure

**ENLARGEMENT OF
APPOINTMENT OF MANAGER
OF
PROVO BROADCASTING, L.L.C.**

This Enlargement of Appointment of Manager of Provo Broadcasting, L.L.C. (this "Enlarged Appointment") is made and entered into among certain members of Provo Broadcasting, L.L.C., as evidenced by the signatures set forth below.

Recitals

A. The undersigned are members of Provo Broadcasting, L.L.C. ("Provo Broadcasting"), a Utah limited liability company. Provo Broadcasting holds a Federal Communications Commission ("FCC") permit to construct and operate a new commercial television broadcasting station on Channel 32 in Provo, Utah (the "Permit"), which Permit currently expires on October 25, 2003.

B. The operative document governing Provo Broadcasting is that certain Settlement and Merger Agreement dated August 5, 1999, which was subsequently amended on August 15, 1999 and on December 23, 1999 (the "Agreement"). Under Section 2(a) of the Agreement, the Permit may be sold and assigned upon the approval of an 80% vote of the members of Provo Broadcasting because it is the only asset of Provo Broadcasting.

C. By way of that certain Stipulation and Settlement Agreement dated on or about August 12, 2002, which was amended on or about September 16, 2002 (the "Stipulation"), members holding more than 80% of the membership interests of Provo Broadcasting agreed to sell and assign the Permit by way of an auction (the "Auction"), all as more specifically described in the Stipulation.

D. John Tupper was the initial Manager of Provo Broadcasting. On or about October 4, 2001, Mr. Tupper resigned as Manager of Provo Broadcasting.

E. In order to facilitate the Auction and the consummation of the sale and assignment of the Permit pursuant to the Auction, the members of Provo Broadcasting appointed Marcia Turner ("Turner"), President of Turner Enterprises and a member of Provo Broadcasting, the Manager of Provo Broadcasting as set forth in the Appointment of Manager of Provo Broadcasting, L.L.C. dated on or about September 27, 2002 (the "Initial Appointment").

F. The Auction was conducted on September 18, 2002 and Gary M. Cocola ("Cocola"), one of the members of Provo Broadcasting, was the winning bidder in the Auction.

G. On September 27, 2002, an application was filed with the FCC (the "Assignment Application") seeking FCC consent to assignment of the Permit from Provo Broadcasting to Cocola.

H. Given that (i) the Permit will expire on October 25, 2003, (ii) the technical facilities authorized by the Permit (the "Station's Facilities") remain unbuilt, and (iii) impending adverse weather conditions in the area where the Station's Facilities are to be located may hinder construction of the Station's Facilities, Cocola, as the proposed assignee of the Permit, wishes to file an application with the FCC to relocate the Station's Facilities to an existing tower located less than one (1) mile from the site authorized in the Permit (the "Modification Application"), prior to the grant of FCC consent to the Assignment Application and the closing of the sale of the Permit.

I. The FCC's rules and regulations permit Cocola to file the Modification Application contingent on grant of the Assignment Application and provided that Provo Broadcasting provides its written consent to the filing of the Modification Application.

J. In order to facilitate the filing of the Modification Application, the members of Provo Broadcasting desire to enlarge the scope of Turner's appointment as Manager of Provo Broadcasting, all as more fully set forth herein.

K. Unless otherwise defined herein, all capitalized terms in this Enlarged Appointment shall have the same meaning ascribed to them in the Stipulation.

Agreement

1. The undersigned members of Provo Broadcasting hereby agree that in addition to the purposes set forth in the Initial Appointment, Turner shall serve as the Manager of Provo Broadcasting for the purposes of executing and delivering on behalf of Provo Broadcasting a letter (the form of which is attached hereto) consenting to Cocola's filing of the Modification Application and any other documents requested by the FCC with respect thereto.

2. Provided that Turner performs the acts described in paragraph 1 above in accordance with the terms of that paragraph:

a. Turner shall have no personal liability to any member of Provo Broadcasting or any other person as a result of or relating to said acts, including but not limited to, the accuracy and completeness of the information supplied by any member of Provo Broadcasting pursuant to the Stipulation; and

b. Provo Broadcasting and the undersigned shall indemnify Turner, jointly and severally, from any claims or liabilities arising from the performance of said acts.

3. This Enlarged Appointment may be executed in one or more counterparts, each of which shall be deemed an original and all of which taken together shall constitute a single agreement. Delivery by facsimile of a signed counterpart of this Enlarged Appointment shall be the same as delivery of the original and shall be effective and legally binding.

4. In the event that any one or more of the provisions contained in this Enlarged Appointment shall be declared invalid, void or unenforceable, the remainder of the provisions of this Enlarged Appointment shall remain in full force and effect, and such invalid, void or unenforceable provision shall be interpreted as closely as possible to the manner in which it was written.

5. The Agreement, the Stipulation, the Initial Appointment and this Enlarged Appointment constitute the entire understanding between the undersigned with respect to the subject matter hereof and supersede all negotiations, representations, prior discussions, and preliminary agreements relating to the subject matter hereof. To the extent that there are inconsistent or contradictory provisions among the Agreement, the Stipulation, the Initial Appointment and this Enlarged Appointment, the terms of the latest document shall control.

6. This Enlarged Appointment may not be modified, waived, amended, or changed unless the same is in writing and signed by all of the undersigned.

7. Except as set forth herein, all terms and conditions of the Initial Appointment shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned have executed this Enlargement of Appointment as of the dates set forth by their respective signatures.

GARY M. COCOLA

KT BROADCASTING, INC.

Date _____

By _____
Its _____
Date _____

PROVO BROADCASTING, LLC

RONALD L. ULLOA

By _____
Its _____
Date _____

Date _____

**CHANNEL THIRTY-TWO
TELEVISION COMPANY**

KALEIDOSCOPE PARTNERS

By _____
Its _____
Date _____

By _____
Its _____
Date _____

KM COMMUNICATIONS

KIMBERLEY KRALOWEC

By _____
Its _____
Date _____

By _____
Its _____
Date _____

RICHARD S. LOSEE

CAROLINE POWLEY

By _____
 Its _____
 Date _____

By _____
 Its _____
 Date _____

TURNER ENTERPRISES

**VENTURE TECHNOLOGIES,
 LLC**

By _____
 Its _____
 Date _____

By _____
 Its _____
 Date _____

WINSTAR BROADCASTING CORP.

By _____
 Its _____
 Date _____

Form of Consent Letter

October __, 2002

Federal Communications Commission
445 Twelfth Street, SW
Washington, D.C. 20554

Attention: Video Division

Re: Channel 32, Provo, Utah
Facility ID No. 81451
FCC File No. BPCT-19960404KX
Consent to Filing of Modification Application

Dear Sir or Madam:

Provo Broadcasting, L.L.C., which holds a construction permit to construct a full power television station on Channel 32 in Provo, Utah (the "Permit"), hereby consents to the filing of an application by Gary M. Cocola, proposed assignee of the Permit (*see* FCC File No. BAPCT-20020927AAA), to modify the facilities specified in the Permit conditioned upon the FCC's consent to assign the Permit to Mr. Cocola.

Sincerely,

PROVO BROADCASTING, L.L.C.

Marcia Turner
Manager

RECEIVED

SEP 21 2001

The Law Office of
Dan J. Alpert

2120 N. 21st Rd.
Suite 400
Arlington, VA 22201

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

(703) 243-8690

(703) 243-8692 (FAX)

September 21, 2001

Mr. Andrew S. Fishel
Managing Director
Federal Communications Commission
445 12th St. S.W.
Washington, DC 20554

**Re: Stations KBNZ
Facility No. 13985
Honolulu, HI**

Dear Mr. Fishel:

KBNZ, Inc., by its attorney, hereby requests a waiver of its 2001 Annual Regulatory Fee. In support thereof, the following is stated.

In the Memorandum Opinion and Order issued with respect to Implementation of Section 9 of the Communications Act, FCC 95-257 (June 22, 1995), the FCC recognized that waivers of the annual Regulatory Fee was appropriate in certain instances, and specifically determined that it would grant waivers to licensees of broadcast stations which are dark (not operating). The Commission recognized that an imposition of regulatory fees could be an impediment to the restoration of broadcast service, and that such it would be unnecessary for such stations to make any further showing to warrant grant of a waiver. Id. at ¶ 15.

KBNZ, Inc. is licensee of Station KBNZ(AM), Honolulu, Hawaii. The station currently is dark. Attachment 1. Accordingly, a waiver of the 2001 Annual Regulatory Fee is appropriate.

WHEREFORE, it respectfully is requested that this request be granted.

Very truly yours,

Dan J. Alpert

Counsel for KBNZ, Inc.

ATTACHMENT 1

**FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D. C. 20554**

**IN REPLY REFER TO:
1800B3-ALM**

September 19, 2001

Dan J. Alpert, Esquire
2120 North 21st Road
Arlington, Virginia 22201

**In Re: KZEZ(AM), Honolulu, HI
Facility ID No. 13985
Silent Since August 15, 2001
Request For Special Temporary
Authority To Remain Silent**

Dear Mr. Alpert:

This letter concerns your request filed on behalf of KBNZ, Inc. on September 5, 2001, and supplemented on September 13, 2001, for Special Temporary Authority to permit AM radio station KZEZ to remain silent.

Commission records indicate that KZEZ(AM) was recently authorized Special Temporary Authority to operate from the tower occupied by KLHT(AM). You state that KZEZ(AM) ceased operations after it was determined that interference was being caused to KLHT(AM). You also state that KLHT(AM) intends to change transmitter location within 60 days which will eliminate the interference problem. Alternatively, it is believed that the interference problem can be resolved through the installation of additional filters. If the KLHT relocation is delayed, those filters will be ordered. Finally, KBNZ, Inc. is preparing an application to specify the current KLHT(AM) tower as its permanent station location. Your request includes the appropriate certification regarding Section 5301 of the Anti-Drug Abuse Act of 1988.¹

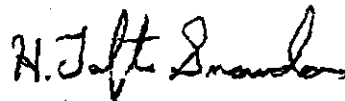
Your request will be granted. Accordingly, special temporary authority is granted to permit AM Station KZEZ to remain silent not to exceed 180 days from the date of this letter. **Notwithstanding the grant of this special temporary authority, the broadcast license for KZEZ(AM) will automatically expire as a matter of law if broadcast**

¹In the event extension of special temporary authority is sought, please renew the certification in this matter.

operations do not commence by August 16, 2002.² See Pub. L. No. 104-104, 110 Stat. 56, § 403(1) (1996).

Lastly, the station's silent status does not suspend the licensee's obligation to comply with all other relevant Commission rules, including the filing, when appropriate, of applications for renewal of broadcast license.

Sincerely,



H. Taft Snowden
Supervisory Attorney
Audio Services Division
Mass Media Bureau

²Notification of resumption of broadcast operations must be mailed to:

Federal Communications Commission
Attn: 1800B3-ALM, Room 2-B450
445 12th Street, S.W.
Washington, D.C. 20554

**FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D. C. 20554**

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1800B3-ALM**

September 19, 2001

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ATTACHMENT 1

RECEIVED

SEP 21 2001

The Law Office of
Dan J. Alpert2120 N. 21st Rd.
Suite 400
Arlington, VA 22201FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

(703) 243-8690

(703) 243-8692 (FAX)

September 21, 2001

Mr. Andrew S. Fishel
Managing Director
Federal Communications Commission
445 12th St. S.W..
Washington, DC 20554

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Facility No. 13985
Honolulu, HI

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WHEREFORE, it respectfully is requested that this request be granted.

Very truly yours,

Dan J. Alpert

Counsel for KBNZ, Inc.

AR012-A
6/24/2003
14:26:09

RAMIS ACCOUNTS RECEIVABLE - (C) DSG, Inc.
RECEIPTS DETAIL REPORT
SORTED BY TRANSACTION DATE, CD No., FEE CONTROL No.

PAGE 1
6/24/2003
14:26:09

CD No.	CD DATE	FEE CONTROL No.	FRN	PAYER NAME	TRANSACTION DATE	RECEIPT AMOUNT
560563	10/01/02	0210018835422002	0007722184	Legacy Communications Corporat	9/27/02	\$2,525.00

Seq: 1 Call Sign: KENT FCC Code 1: 13985 FCC Code 2: HIHONOLULU Tin Number: 0870640571
PTC: 0227 QTY: 1 Applied Amt: 2525.00
Applicant Name: AM RADIO 1170 INC
Address: 210 NORTH 1000 EAST

Total: \$2,525.00